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To: Allen Fiksdal EFSEC Manager
State of Washington
Energy Facility Site Evaluation Council
PO Box 43172
Olympia, WA. 98504-3172

ENERGY FACILITY SITE
EVALUATION COUNCIL

From: Michael Kaufman
1620 Huntley Rd.
Bellingham, WA 98226

Subject: Comments on Sumas Energy 2 DEIS

Dear Mr. Fiksdal,

Listed below are my comments at this time to the Sumas Energy 2 DEIS.

CHAPTER TO BE INCLUDED:

The DEIS should include a chapter clearly describing all aspects of the permitting process. Listed below are specific topics to be included.

- 1) Document the criteria used to notify the public for each of the public meetings and hearings held during the permitting process. Comments should include, EFSEC rules, past history of notification, applicants involvement in the notification process.
- 2) Include minutes of all meetings with specific attention to the scooping hearing.
- 3) Document the process for determining the time line for the permitting process. Comments should include EFSEC rules, past history, applicants involvement in the process and minutes of all statements made relating to this subject.
- 4) Document the history of EFSEC. Why was EFSEC created? Who wrote the laws governing how EFSEC conducts business. Describe historical precedents and tactics which have been used by applicants, their representatives and council managers to control the process and the council.
- 5) Document all meetings, conversations, E-mail, memos and the like from attorneys representing the applicant directed at communication with the council, its managers and representatives.

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SUBJECT TO BE INCLUDED:

The utility chapter of Whatcom County Comprehensive Plan and all relative land use issues and applicable related subjects as described in The Plan.

- 1) Describe how RCW 80.50.090 was addressed during the process. Include any and all information on this subject.
- 2) Include all laws, comprehensive plans and criteria used by the state and its agents to site utilities and their related infrastructures.
- 3) Include applicable Goals and Policies from Whatcom County's Comprehensive plan which relate to this issue.
- 4) How does the Utility Chapter of the Comprehensive plan compare to other Comprehensive Plans throughout the state and to the state's own plan.

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SUBJECT TO BE INCLUDED:

Alternatives. No alternatives are discussed. The only alternative listed is no action. I continually read and hear the statement, Washington State needs more electrical generation to meet future load demands, therefore, the need for this generating facility is justified.

- 1) Identify conservation alternatives and future estimates on energy savings if conservation is properly promoted.
- 2) Why and where is the power specifically needed and what alternatives or mitigating circumstances relate to this need.
- 3) What other alternative sites within the region and Whatcom County are identified or available to utility development.
- 4) What other existing and future alternative electrical generating technologies exist. What are their benefits, requirements and needed infrastructures.

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SUBJECT TO BE INCLUDED:

The Environmental Impact Statement process.

- 1) How is the contractor (author) for the EIS chosen? Why was Jones and Stokes chosen. List other contractors considered for the task.

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- 2) What is the relationship of Jones and Stokes to EFSEC, past and present.
- 3) List a resume for Jones and Stokes and a list of other DEIS they have written.
- 4) What is the relationship of Jones and Stokes to the applicant. List all contact between the author, EFSEC and applicant.
- 5) Identify all statements in the DEIS which were taken from the application. List all consultants hired by the DEIS author, the resources used to verify statements and documentation of time dedicated to specific subject matter.

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INCLUDE IN THE HABITAT SUBJECT MATTER :

It was stated by a Washington State Fish and Wildlife representative to me that over two billion dollars are spent in the State of Washington to view nature. The use of state funds to support hunting and fishing has significantly shifted to supporting, preserving and viewing wildlife.

- 1) How does this project impact this significant shift in the public's use of wildlife.
- 2) What are the long term impacts this project will have on future revenues which Whatcom County may receive from this shift in spending by the state and the public.
- 3) What is the loss of human habitat. The plan talks about habitat as it relates to wildlife but not habitat as it relates to humans.

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REMOVE THE 115,000 VOLT POWER LINES FROM THE DEIS:

Remove all reference and discussion of these lines as EFSEC has no legal standing to site transmission lines and it has been stated by EFSEC the 115,000 volt lines are not a part of the application. If this is not done, then additional information is needed. The DEIS makes several references in several chapters to the 115,000 volt transmission lines.

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- 1) Clearly state EFSEC's jurisdiction and precedence for including the transmission lines in the DEIS
- 2) Include a clear discussion on who will wheel the power generated by Sumas Energy 2.

- 3) State the criteria used to design the proposed 115,000 volt transmission route. Include all research data and alternatives considered.
- 4) Page 3.8-13. Justify this statement which claims property values will increase along the transmission route.
- 5) List where transmission lines carrying this amount of amperage and kilovolts on a 115,000 volt line exist.
- 6) Calculate the loss of property values and tax revenue to all impacted land as it relates to the generating facility and transmission lines.

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INDUSTRIAL PARK INFRASTRUCTURE:

Page 2-34 and 3.8-2 discuss industrial park infrastructure.

- 1) Discuss background and history of industrial park land. Why is it there? What money was spent to develop it? What was projected growth, income and jobs related to this land.
- 2) What is the total investment in infrastructure at this location, i.e. rail, highway, location to the Canadian border. How will Sumas Energy 2 utilize this infrastructure. How will Sumas Energy 2 effect the future potential of these facilities to generate income and jobs for Sumas and Whatcom County.

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RELATED SUBJECT : ECONOMIC BENEFITS

Several statements have been made in the DEIS and by the applicant as to the economic benefit Sumas Energy 2 will have on jobs and increased tax revenue.

- 1) What are the long term impacts to future jobs in the City of Sumas if the water rights and land are used for this project.
- 2) What are the total impacts to future tax revenues to Whatcom County as it relates to, but not limited to, jobs and property taxes
- 3) What is the loss of income and other benefits to existing and future businesses in Whatcom County and British Columbia.

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PAGE 2-34

States there is no benefit to the applicant for the no action alternative.

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1) What is the benefit to the public for the no action alternative.

In conclusion, I find the DEIS written by Jones and Stokes to be a totally inadequate document. It clearly demonstrates a bias for the applicant. It fails to fully cover the subject matter as it relates to the SE2 project. The document highlights perceived benefits of SE2 while white washing over several important areas of concern if addressing them at all. I find several statements were the author extracts information straight from SE2's application with no apparent research of its own.

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It is my opinion Jones and Stokes is incompetent and there authorship of the SE2 DEIS is fraud. I further submit Jones and Stokes be removed as contractor for this DEIS project and a new, more qualified and competent contractor be hired.

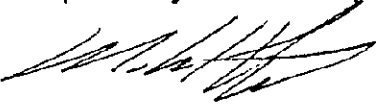
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Furthermore. I feel the neutrality of EFSEC in this process should be called into question. Their excepting and promotion of this document to the public, as a competent work, shows a bias toward the applicant. EFSEC should initiate additional public hearings and comment time to respond to a revised DEIS.

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Thank you for your consideration and inclusion of these comments in the DEIS.

Respectfully Submitted,



Michael Kaufman
Founding Member: Whatcom County Comprehensive Plan Utility Committee
Active Member: N.O.P.E. and G.A.S.P.